PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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		Application Number	10/840,196		
TRANSMITTAL		Filing Date	May 6, 2004		
FORM		First Named Inventor	Kelly D. Bailey		
(to be used for all correspondence after initial fi	ling)	Art Unit	N/A		
	er initial filing)	Examiner Name	Not Yet Assigned		
Total Number of Pages in This Submission	15	Attorney Docket Number	08220/0200671-US0		

ENCLOSURES (Check all that apply)							
X Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC					
X Fee Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences					
Amendment/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)					
After Final	Petition to Convert to a Provisional Application	Proprietary Information					
Affidavits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter					
X Extension of Time Request	Terminal Disclaimer	X Other Enclosure(s) (please Identify below):					
Express Abandonment Request	Request for Refund	Combined Declaration and Power of Attorney					
Information Disclosure Statement	CD, Number of CD(s)	Supplemental Application Data Sheet					
Certified Copy of Priority Document(s)	Landscape Table on CD	Part 2 Copy of Notice Return Receipt Postcard					
Reply to Missing Parts/ Incomplete Application	Remarks						
Reply to Missing Parts under 37 CFR 1.52 or 1.53							
// \$IGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Name DARBY & DARBY P.C.							
Signature							
Printed name John W. Branch							
October 12, 2004	Reg.	No. 41,633					

PTO/SB/17 (10-04)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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for FY 2005		Application Number		Numbe	er 10/840,196	
		Filing Date			May 6, 2004	
		First Named Inventor			ntor Kelly D. Bailey	
Effective 10/01/2004. Patent fees are subject to annual revision.		Examiner Name		ame	Not Yet Assigned	
X Applicant claims small entity status. See 37 CFR 1.27	Art Unit			N/A		
TOTAL AMOUNT OF PAYMENT (\$) 701.00	Attorney Docket No.		cket No	o. 08220/0200671-US0		
METHOD OF PAYMENT (check all that apply)				FEE	CALCULATION (continued)	
X Check Credit Money Order Other None	3. A	DDITI	ONAL	FEES		
Deposit Account:						
Deposit Account 04-0100	Large Fee	Entity Fee	Small	Entity Fee	_	
Account Number 04-0100	Code	(\$)	Code	(\$)	Fee Description Fee Pald	
Deposit Account Darby & Darby P.C.	1051	130	2051	65	Surcharge – late filing fee or oath 65.00	
Name The Director is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	
Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification	
Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account.	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
to the above-identified deposit account.	1805	1,840*	1805	1,840*	Postunation publication of CIR offer	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month 55.00	
1. BASIC FILING FEE	1252	430	2252	215	Extension for reply within second month	
Large Entity Small Entity	1253	980	2253	490	Extension for reply within third month	
Fee Fee Fee Fee Fee Paid Code (\$) Code (\$)	1254	1,530	2254	765	Extension for reply within fourth month	
1001 790 2001 395 Utility filing fee 395.00	1255	2,080	2255	1,040	Extension for reply within fifth month	
1002 350 2002 175 Design fitting fee	1401	340	2401		Notice of Appeal	
1003 550 2003 275 Plant filing fee 1004 790 2004 395 Reissue filing fee	1402 1403	340 300	2402 2403	170	Filing a brief in support of an appeal	
1004 790 2004 395 Reissue filing fee 1005 160 2005 80 Provisional filing fee	1451	1,510	1451	150 1.510	Request for oral hearing Petition to institute a public use proceeding	
	1452	110	2452	55	Petition to revive – unavoidable	
SUBTOTAL (1) (\$) 395.00	1453	1,370	2453	685	Petition to revive - unintentional	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,370	2501	685	Utility issue fee (or reissue)	
Extra Fee from Claims below Fee Paid	1502	490	2502	245	Design issue fee	
Total Claims 26 -** = 6 x 9 = 54.00	1503	660	2503	330	Plant issue fee	
Independent 6 -** = 3 x 44 = 132.00	1460	130	1460	130	Petitions to the Commissioner	
Multiple Dependent = =	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	
Fee Fee Fee Code (\$) Fee Description	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection	
1201 88 2201 44 Independent claims in excess of 3	1810	790	2810	395	(37 CFR 1.129(a)) For each additional invention to be	
1203 300 2203 150 Multiple dependent claim, if not paid 1204 88 2204 44 ** Reissue independent claims	1801	790	2801	395	examined (37CFR 1.129(b)) Request for Continued Examination (RCE)	
over original patent	1802	900	1802	900	Request for expedited examination	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		ee (spe			of a design application	
SUBTOTAL (2) (\$) 186.00 **or number previously paid, if greeter, For Reissues, see above						
SUBMITTED BY 0 // 0 (Complete (if applicable))						
Name (Print/Type) John W. Branch		ation No	41	,633	Telephone (206) 262-8900	
Signature ///	(Attorne	y/Agent)		,555	Date October 12, 2004	
- 1 W/W October 12, 2004						
19						



Docket No.: 08220/0200671-US0

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kelly D. Bailey

Application No.: 10/840,196

Filed: May 6, 2004

For: ENCODING SPATIAL DATA IN A MULTI-

CHANNEL SOUND FILE FOR AN OBJECT IN

A VIRTUAL ENVIRONMENT.

Confirmation No.: 7258

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed July 12, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Supplemental Application Data Sheet, and Part 2 Copy of Notice.

Our check in the amount of \$701.00 covering the fee set forth in 37 CFR 1.16(e) and 1.17(a)(1) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

2

Dated: October 12, 2004

Respectfully submitted

John W. Branch

Registration No.: 41,633 DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(206) 262-8900

(212) 753-6237 (Fax)

Attorneys/Agents For Applicant

Application No. (if known): 10/840,196

Attorney Docket No.: 08220/0200671-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV493075115US in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 12, 2004

Date

Signature

John W. Branch

Typed or printed name of person signing Certificate

41,633 (206) 262-8900
Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Check in the amount of \$701.00 (1); Return Receipt Postcard (1);

Certificate of Express Mailing (1 page);

Fee Transmittal (1 page);

Transmittal (1 page); Response to Notice to File Missing Parts of Application (2 pages);

Combined Declaration and Power of Attorney;

Part 2 Copy of Notice (2 pages);

One Month Request for Extension of Time (2 pages); and

Supplemental Application Data Sheet (2 pages).

0-1404

Page 1 of 2



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandra, Vugnia 22313-1450
www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/840,196

05/06/2004

Ken Daniel Bailey

08220/0200671-US0

CONFIRMATION NO. 7258

07278 DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257 FORMALITIES LETTER

OC000000013204277

Date Mailed: 07/12/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/15/2004 HLE333 00000106 10840196

01 FC:2001 02 FC:2201 03 FC:2202 04 FC:2051 395.00 OP

FILED UNDER 37 CFR 1.53(b)

132.00 OP

54.00 OP 65.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

Additional claim fees of \$183 as a small entity, including any required multiple dependent claim fee, are
required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$633 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$183

• \$129 for 3 independent claims over 3.

■ \$54 for 6 total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY